

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

CRAIG CUNNINGHAM,

Plaintiff,

v.

GREENSTAR CAPITAL SOLUTIONS,
LLC, ET AL.,

Defendants.

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CIVIL ACTION NO. 4:18-CV-00161-ALM-
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ORDER

Pending before the Court is Defendant Greenstar Capital Solutions, LLC's *pro se* Motion to Extend Time to File Answer [Dkt. 12], wherein Defendant requests "an extension through and including June 1, 2018 to retain counsel and to file a responsive pleading." Plaintiff filed a Motion to Strike on April 25, 2018, seeking to strike Defendant's Motion to Extend Time because "[t]he motion is filed Pro-se on behalf of a corporation, which is improper" [Dkt. 13].

The right to proceed *pro se* in civil actions is guaranteed by 28 U.S.C. § 1654. That right does not, however, extend to separate legal entities, such as corporations or partnerships." Corporations are not permitted to appear *pro se* in federal court, but must be presented by licensed counsel. *IntelliGender, LLC v. Soriano*, No. 2:10-CV-125-JRG, 2012 WL 1118820, at *2 (E.D. Tex. Apr. 3, 2012) (Gilstrap, C.J.) (citing *Rowland v. Cal. Men's Colony*, 506 U.S. 194, 201-02 (1993); *Sw. Express Co. v. Interstate Commerce Comm'n*, 670 F.2d 53, 55 (5th Cir. 1982)). Thus, Defendant Greenstar Capital Solutions, LLC has no right to proceed without licensed counsel in this case. Accordingly,

IT IS THEREFORE ORDERED that Plaintiff's Motion to Strike [Dkt. 13] is **GRANTED**, and Defendant Greenstar Capital Solutions, LLC's Motion to Extend Time to File Answer [Dkt. 12] is hereby **STRICKEN**.

IT IS FURTHER ORDERED that Greenstar Capital Solutions, LLC has thirty (30) days from the date of this Order to retain counsel and file an answer or other responsive pleading with the Court. Fed. R. Civ. P. 6(b)(1)(A) ("When an act may or must be done within a specified time, the court may, for good cause, extend the time with or without motion or notice if the court acts"). Failure to do so may result in default judgment.

IT IS SO ORDERED.

SIGNED this 30th day of April, 2018.

A handwritten signature in black ink, appearing to read 'C.A. Nowak', is written over a horizontal line.

Christine A. Nowak
UNITED STATES MAGISTRATE JUDGE